

R E M A R K S

By this Amendment claims 37 and 43 have been amended to correct their presentations, and new claim 61 has been added to define a further feature. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 31, 32, 37, 41, 52, 53 and 58-60 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al., he has rejected claim 36 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al. and Mattison, he has rejected claim 42 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al. and Weinstock, he has rejected claims 43 and 45-47 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al. and Frischknecht, he has rejected claim 55 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al. and Medley, he has rejected claim 56 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Varndell et al., Medley and Goldsmith, and he has rejected claim 57 under 35 U.S.C. 103(a) as being unpatentable over Schuder in view of Ferrand et al.

The inventors assert that these rejections are incorrect. In this regard, Schuder does disclose a mattress which includes a foam body 12 defining a top surface 39, a bottom surface 41, lateral sides 20, ends 38, upper and lower tier tubes 13 and 21 which extend between the lateral sides 20, and tubes 31 which extend between the ends 38. The tubes are

filled with air and include end caps 19, 27 and 37. There are no open-ended tubes which extend between lateral sides of the mattress to facilitate removal of humidity from the foam core.

Varndell et al. disclose a mattress 10 for small children which includes top and bottom surfaces and lateral sides, and an aperture 15 in a head portion 14 for a replaceable foam insert 20 that includes perforations 27 that extend from a top face 21 to the bottom face 22 "to allow passage of air through the insert should the child bury its face in the mattress, so reducing the danger of suffocation" (col. 2, lines 23-30).

The examiner asserts that based on Varndell et al., it would be obvious to include a plurality of second transverse channels in Schuder which extend in parallel between the opposite lateral sides of the foam core outside the pressure cushions. This is not possible. The perforations (channels) 27 in Varndell et al. extend perpendicularly to the sides 25, 26 of the insert 20 and (when the insert 20 is located in the aperture 15) the lateral sides of the mattress 10, so there would be no basis to assert that this would suggest additional tubes in Varndell et al. that extend in parallel between the lateral sides 20. And nothing in the secondary patents to Mattison, Weinstock, Frischknecht, Medley, Goldsmith or Ferrand et al. would teach otherwise.

The examiner's prior art rejections should be withdrawn and the claims allowed.

Respectfully submitted,

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